

STATEMENT OF PURPOSE

RS22854C1

A health care practitioner is liable for injury to a patient if the practitioner fails to meet the community standard of care. That standard is determined by what a reasonable practitioner with similar training and experience, who practices in the community, would do under the same circumstances.

The Affordable Care Act sets forth quality metrics which may or may not reflect the standard of care in Idaho communities. Insurers are encouraged by the Affordable Care Act to adopt similar metrics. These metrics are intended to be used for reimbursement purposes. This will result in multiple and potentially inconsistent measures of quality, as each insurer adopts its own standards. This legislation permits those metrics to be used for reimbursement purposes but clarifies that measures created by the Affordable Care Act and by insurers cannot be used to establish the standard of care in any community in Idaho. It affirms current law that such standards are established in Idaho, as they always have been, and that a health care practitioner can be held liable to a patient if he or she fails to meet the standard of care in the community in which the care is provided.

FISCAL NOTE

No fiscal impact.

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